FOR MYSORE STATE

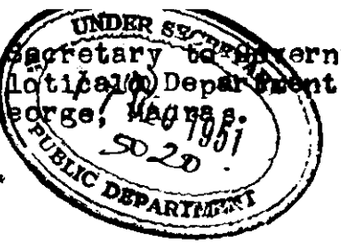
Revenue (1952-) Department

G.O. NO. 2235

Dated 5/8/52.

[Despatch Abstract.]

To
The Chief Secretary to Govern
Public (Political) Department,
Fort St. George, Madras.



Rc.No. 19605/51 s.1. dated 10-12-1951.

Sir,

Sub: INAMS - Sandur taluk - Dharmapur village - Paimash No. 58 under Government - Handing over possession to Sri Katte Seshagiri Achar - Report - submitted.

Paimash No.58 of Dharmapur village, Sandur taluk belonging to one Sri Katte Narasimhachar father of the petitioner Sri Katte Sehsagiri Achar was treated as a "No Sanad case during the Inam Enquiry held in 1937, as the petitioner failed to produce the title deed. He was however given a chance by the erstwhile Sandur Government to take the land on "Huzur Land Tennure" patta on payment of a lease amount of Rs 15-15-0 per year but he failed to take it on "H.L.T" on the terms proposed by the Government and communicated to him personally on 28-4-1937 by the then Secretary to Government (POlitical Department). The land was escheated to Government on 1-5-1937 in the Erstwhile Sandur Government I.D.R.No.410/36-37 dated 1-5-1937. The land was however allowed to be in his possession. He paid the lease amount in the year 1942, but from the office note dated 7-4-42 and the orders of the vahivatdar thereon, it is noticed that the land was leased out by the Erstwhile Sandur Government to the then cultivator, Madula Marulappa for Rs 30/- from the year 1942-1943 onwards.

2. Sri Katte Seshagiri Achar had applied on 5-11-1942 for assignments of the land on "Huzur Land Tennure" patta, but it was ordered by the "Karmasachiv" on 24-9-1945 that the orders of escheat issued to him on 1-5-1937 were final.

3. The petitioner Sri Katte Seshagiri Achar renewed his application on 5-5-49. In his statement dated 8-6-1950 before the Sheristadar Magistrate, Sandur, he pleaded that he had asked his lessee in 1942 to pay the lease amount to the Sandur Government towards the arrears of lease amount due by him to and that in spite of this the land was leased out to Marulappa by the Sandur Government in 1945. He requested the special Officer Sandur in his petition dated 5-5-49 to refund the money kept under deposit in his name and to hand over the land to him on H.L.T Patta, which can be converted latter into a ryotwari patta.

4. The contention of the petitioner that the land was first leased out by the Sandur Durbar in 1945 on his behalf and that he had directed his lessee to pay the lease amount to the Sandur Government towards the arrears of lease amount due by him to the State, is not proved, as can been seen from the office note dated 7-4-42 and the orders of the Vahivatdar thereon, but his contention that the lease amount was deposited in the Treasury in his name was correct

Lease amount for	1948-1949.	...	54-8-8.
"	1949-1950.	...	54-8-8.
	Total.		109-1-4.

Grand Total. Rs 236-4-8.

The lease amount payable by the petitioner to the Government from 1936-37 to 1947-48 at the rate of Rs 15-15-0 per year comes to Rs 175-5-0. The net amount payable to the peritioner is therefore Rs 60-15-8 (Rs 236-4-8 Minus 175-5-0). I request that this amount of Rs 60-15-8 (Rupees sixty annas fifteen and pies eight may be ordered to be refunded to the petitioner (Sri Katte Seshagiri Achar.

6. As regards the request of the petitioner to grant this land on H.L.T. patta (later convertible into Ryotwari patta) I invite attention to the correspondence resting with B.P.Ms.No.282/51 dated 5-3-51. This is one of the six cases referred to therein by the Board - Please seen item No.3 of the statement submitted with this office Rc.No.14958/49 s.1. dated 13-2-1951. I therefore submit that the question of grant of H.L.T. patta to the petitioner may be deferred till the geneal general survev and settlements of the merged state of Sandur is taken up.

The connected file of the Sandur Durbar is submitted for reference and return when no longer required.

Sd G. Rami Reddi.
Collector.

K Krishna Swamy
For Collector. 13/2

Memo No. 87828 H/51-1 Dated 29/12/51

anams (Bellary) - Sandur T.D. to Dharmapur village Panimash No. 58 - Handing over possession to Sri. Kalle Seshagiri Achar - Collector's report - Board's remarks called for.

From the Collector of Bellary Rc. No. 6605/51 A.1 Dated 10-12-1951.

A copy of the Bellary Collector's letter quoted above is forwarded to the Board of Revenue. The Board is requested to offer its remarks in the matter.

2. A file of the Sandur Durbar received with the Collector's letter quoted above is also enclosed for reference and return.

Sy
20/12/51
Sd/- 21/12/51

Please see the Bellamy Cobb letter in the c-f and the note of Prof Pollard on p. 2 c-f. The remarks of the Bd of Re may first be obtained. The draft memo overleaf is for approval

E.H.W.
27/12/51

27-12-51

REVENUE DEPARTMENT.

Subject:

INAMS - (BELLARY) - Sandur taluk - Dharmapur village - Paimash No.58 - Handing over to Sri Kattee Seshagiri Achar - Collector's report - Board's Remarks Submitted.

Station : Madras. Rt. 3611 Dated : 26-5-52.

ADDITIONAL ASST. SECRY. REVENUE DEPARTMENT 28 JAN 1952 347.31/H-3

Sri C.S. Krishnamurthy, I.A.S., Joint Secretary, Board of Revenue.
Sri W.R.S. Sattianathan, I.C.S., Commissioner of Land Revenue.

Read: From the Govt. Revenue Dept. Memo. No.87828 H/51-1 dt. 29-12-51.
Board's Ref.I. 210/52 dt. 21-1-1951.
From the Govt. Revenue Dept. Memo. No.87828 H/51-2 dt. 24-1-52.

RESOLUTION:

The Board submits that the lands were resumed to Government by the Durbar in 1937 and was being leased by the Durbar. Having been resumed, the inam tenure was extinguished and there is no more reason to revive it now. However, since the lands had been long in the occupation of Kattee Seshagiri Achari's father, Kattee Narasimha Achar and after his death in the occupation of the former, it would be but just that they are assigned to Seshagiri Achar on ryotwari tenure subject to the payment of full assessment. The Board considers that there is no need to treat these Huzur Land Tenure lands as of a separate category, and that they may be treated as ryotwari and granted subject to the payment of full assessment.

2. As regards Sri Seshagiri Achar's claim for the lease amount, it is clear that he is not entitled to it since the lands were not held by him nor were they leased by him. The Government's lessee being the same man, who was holding under Seshagiri Achar probably thought that the land still belonged to the latter and credited the lease amount in his name. The Board considers that what was done under a mistake of fact cannot confer a title on him to receive of the amounts from the Treasury. The Board is of the view that the rents were properly due to the state and it only remains to adjust them to the state accounts.

G. O Ms 2235 dated 5/7/52

In the circumstances stated
accept the recommendation of
by the Bd of Revenue, ~~the Govt~~
also directed ~~that~~ (the Government)
~~order~~ that Paimash no 58 of
Dharmapur village, Sandur Taluk
which was escheated to Govt in
the Ex-st while Sandur Govt I. D. R. no
410/36-37 dated 1-5-'37 ~~the~~ ~~subby~~
~~assessed and~~ assigned to Sri Katte
Sethagiri Achar on ryotwari tenure
subject to the payment of full assessment
& the Govt also agree ~~not~~ with the
Bd of Revenue that Sri Sethagiri
Achar is not entitled to the lease
amounts deposited in his name
in the Govt treasury during the
years ~~from~~ 1942-1950 and direct
that these lease amounts be adjusted
to the State accounts.

12/7/52

MC
31/7/52

Sub:- ~~Irrigation~~ Inams (Bellary) Sandur Tk - Dharmapur Village - Paimash no 58 - Handing over to Sri Kattee Seshagiri Achar - ~~Collectors Report - Boards~~ remarks

Ref:- From the Collector of Bellary Re-no 19605/51-S dated 10-12-'51

Memo no 87828 H/51-1 dated 29/12/'52.

From the Board of Rev Rt. 3611 d 26-5-'52

To A.S

The file deals with the disposal of the lands covered by Paimash no. 58 of Dharmapur Vge, Sandur, which were resumed to Govt by the Sandur Durbar in 1937.

For the facts of the case please see the Collectors report on pp 1-2 c.f. The Collector has reported that the land was still allowed to be in the possession of the petitioner even after ~~the~~ its resumption in 1937 till the year 1941-42 after which the lands were leased out to the then cultivator Madula Mamulappa. But still the lease amounts were continued to be deposited in the name of the petitioner. The ~~petitioner has requested~~ request of the petitioner is for the refund of the money kept under deposit in his name and to hand over the land to him on H.L.T Patta which can be converted later into a ryotwari patta.

The Collector of Bellary recommends the payment of a sum of Rs 60-15-8 to the petitioner towards the ~~excess~~ excess of amounts ~~paid by the~~ deposited in the name of the petitioner. The Collector

has also stated that the question of grant of H.L.T Patta to the petitioner may be deferred till the General Survey and Settlements of the merged State of Sandur is taken up. The Board of Revenue Considers that there is no need to treat the H.L.T lands as of a seperate Categ and that they may be treated as ryotwa and granted Subject to the payment of the full assessment. The Bd states that as the lands have been resumed, the inam tenure was extinguished and the is no more reason to revive it now. It is of opinion that the lands may be assigned to Seshagiri Achar on ryotwari tenure Subject to the payment of full assessment. The Bd of Rev further states that the petitioner is not entitled to ~~it~~ the lease amount Since the lands were not held by him nor were they leased by him. The Board is therefore of the view that the rents were properly due to the State and it only remains to adjust them to the State accounts ~~The~~ This Board's views may be agreed to In the circumstances, it is for Govt whether the Board's proposals may be accepted and the land ordered to be ~~granted~~ assigned to the petitioner on ryotwari tenure Subject to the payment of the full assessment

~~Legal may be for remarks~~

P.W (Poll) & Finance may see for remarks

25/6/52

29.6.52

The Board's proposals on p 5 cF may be agreed to.

draft pl

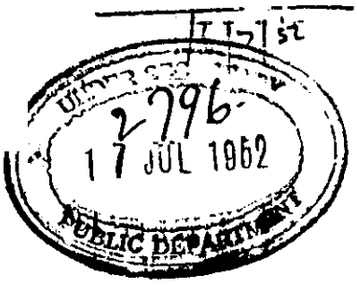
5.7.52

Please see notes ~~and orders~~ above. The draft order below may be approved for issue before circulation

Hon Pub (Pol I)
12.7.52

15/7/52

Pub // Pol) // FIN



Public (Poll-A) deptt.

Notes para p. 1 ante and the draft ord below may be perused and the file passed on to Finance.

21/7/52

21/7

Fin

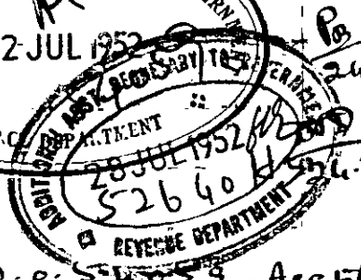
Pub-(poll-A) Deptt

No NO 2796/52

22/7/52

From: (Accts)

Notes from p. 1 above may be perused. The draft order below may be accepted.



24-7-52

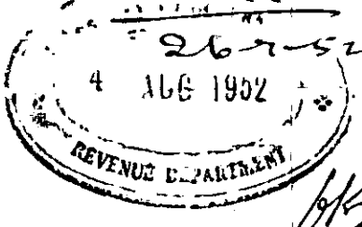
25.7.52

Rev.

Rev-dept.

From: U.O.S. No 4065 & Accts(Secy) To A.S.

26-7-52



The notes from p. 1 above may be perused. The draft order may issue.

28.7.52

M.A. Manickavasagam 31/7